

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE ELIPE DHARMA RAO**

**WRIT PETITION NO : 14775 of 2005**

Between:

- 1 Narangi Bai, W/o.Duwarka Agarwal Prasad,  
R/o.Darusulam Gosha Mahal, Hyderabad.
- 2 Ravi Kumar Agarwal, S/o.Duwarka Agarwal Prasad,  
R/o.Darusulam Gosha Mahal, Hyderabad.
- 3 Sandeep Agarwal, S/o.Duwarka Agarwal Prasad,  
R/o.Darusulam Gosha Mahal, Hyderabad.
- 4 Rohit Kumar Agarwal, S/o.Duwarka Agarwal Prasad,  
R/o.Darusulam Gosha Mahal, Hyderabad.

**..... PETITIONER(S)**

AND

- 1 Joint Collector, Ranga Reddy district, Attapur , Chevella Mandal,  
Ranga reddy district.
- 2 R.D.O. at Attapur, Chevella Mandal, RR.district.
- 3 M.R.O.Shamshabad, RR.district.
- 4 Y.Balraj, S/o.Y.Ramaiah,  
R/o.Kothwalguda Village, Shamshabad Mandal, RR. district.
- 5 C.Y.Chandraiah, S/o.Y.Ramaiah,  
R/o.Kothwalguda Village, Shamshabad Mandal, RR. district.
- 6 C.Y.Mallesha, S/o.Late Ramaiah,  
R/o.Kothwalguda Village, Shamshabad Mandal, RR. district.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or directions more in the nature of writ of mandamus for bearing the respondents 1 to 3 herein from passing any order against the petitioners in respect of Ac.16-35 guntas of dry land in Survey No.116/A and B at Kothwalguda village, Shamshabad Mandal, Ranga Reddy District.

**Counsel for the Petitioner:MR.T.SUBRAMANYAM**

**Counsel for the Respondent No.: GP FOR REVENUE**

**The Court made the following :**

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**ORDER:**

Aggrieved by the inaction of the 1<sup>st</sup> respondent in disposing the appeal, dated 16-10-2004, filed by the petitioner, this writ petition is filed seeking direction to the 1<sup>st</sup> respondent to dispose of the said appeal. From the material available on record, it appears that the said appeal arose on the ground that the 2<sup>nd</sup> respondent granted 38-E Certificate, dated 21-07-2004, in favour of the respondents 3 to 6, though they are not the tenants, without giving any notice to the petitioners.

It is submitted that the 1<sup>st</sup> respondent is not considering the appeal preferred by the petitioners, since its filing, on the ground that the respondents 3 to 6 herein have not filed their counter in the appeal and that they have filed a caveat petition, which is erroneous.

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Revenue and perused the material available on record.

From the material on record, it appears that that the appeal preferred by the petitioners is pending before the 1<sup>st</sup> respondent for consideration without any progress from the date of its filing.

In the facts and circumstances of the case, without going into the merits of the case, I dispose of the writ petition with a direction to the 1<sup>st</sup> respondent to dispose of the appeal, in accordance with law, after giving a reasonable opportunity of being heard to the effected parties, within a period of eight weeks from the date of receipt of the copy of this order and communicate the same to the petitioners.

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E.DHARMA RAO, J

Date: 08.07.2005

MRKR

To

- 1 Joint Collector, Ranga Reddy district, Attapur , Chevella Mandal,  
Ranga reddy district.
- 2 R.D.O. at Attapur, Chevella Mandal, RR.district.
- 3 M.R.O.Shamshabad, RR.district.
- 4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings, Hyderabd.
- 5 Two C.D.copies.

